

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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**JAVELIN GLOBAL COMMODITIES (UK), )  
LTD and BLUEGRASS COMMODITIES, LP, )**

Index No. 1:21-cv-00787-AKH

**Plaintiffs,**

**ORDER EXPLAINING  
JUDGMENT**

**v.**

**LEXINGTON COAL COMPANY, LLC,**

**Defendant.**

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The parties agree to the following sets of calculations which have been aggregated in the Final Judgment Order, filed on November 5, 2024:

A. Judgment shall be had in favor of Plaintiff Bluegrass Commodities, LP and against Defendant Lexington Coal Company, LLC as follows:

1. In the amount of \$750,000, plus interest at 9%, the rate provided by NY CPLR § 5004, from June 26, 2022, twenty days after execution of the parties' settlement agreement of January 25, 2022 as amended and accepted June 6, 2022. That amount, based on a 365-day year, is \$159,410.76, for a total judgment amount on this claim of \$909,410.76.
2. In the further amounts of:
  - a. \$12,109,983.76. This total amount is to be calculated by taking the average of the market price less the contract price of \$48 per ton of Lex19(TP)0031 thermal coal, plus interest at 9%, for each delivery quantity at each delivery installment

date specified in the Settlement Term Sheet, from April 2022 through April 2023.

- b. \$5,348,152.92. This total amount is to be calculated by taking the average of the market price less the contract price of \$43 per ton of thermal coal Lex21(TP)0001, plus interest at 9%, for each delivery quantity agreed to be delivered in March 2022, June 2022, September 2022, and December 2022.
- c. \$295,998.92. This total amount is to be calculated based on the market price on December 31, 2022, the delivery date agreed upon by the parties, less the contract price of \$34 per ton of 50,764 tons of thermal coal Lex20(TP)0006, plus interest at 9% from December 31, 2022.
- d. The total amount owed for all three types of thermal coal is \$17,754,135.60.

- 3. The total amount due and owing by Defendant Lexington Coal Company, LLC, to Plaintiff Bluegrass Commodities, LP in connection with paragraphs A.1 and A.2 is \$18,663,546.36.

B. Judgment shall be had in favor of Plaintiff Javelin Global Commodities (UK) Ltd. and against Defendant Lexington Coal Company, LLC as follows:

- 1. In the amount of \$1,000,000, plus interest at 9% from June 26, 2022, as aforesaid, reflecting an accord as to two deliveries of metallurgical coal, each in the volume of 12,000 short tons, that were to be delivered, but were not delivered, in June 2022 and August 2022, respectively. That further amount is \$212,547.24.
- 2. The total amount due and owing by Defendant Lexington Coal Company, LLC, to Plaintiff Javelin Global Commodities, in connection with paragraph B.1 is \$1,212,547.24, and costs as taxed by the clerk in the amount of \$6,236.15, for a

total amount of \$1,218,783.39.

SO ORDERED.

Dated: November 5, 2024  
New York, New York

/s/ Alvin K. Hellerstein

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ALVIN K. HELLERSTEIN  
United States District Judge